

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 15-CV-11946

vs.

HON. GEORGE CARAM STEEH

JACK V. GIACALONE,

Defendant.

\_\_\_\_\_ /

ORDER DENYING DEFENDANT'S MOTION TO  
REDUCE INSTALLMENT PAYMENTS [ECF No. 65]

This matter is before the Court on defendant Jack V. Giacalone's motion to reduce his monthly installment payment to the United States of America, owing against the judgment entered for unpaid income taxes. On May 11, 2021, the Court found defendant to be in civil contempt for failing to respond to discovery and failing to make his ordered installment payments. (ECF No. 63). The Court ordered that defendant become current on his installment payments, increased his monthly payment to \$3,500 a month, and required him to provide answers to discovery that had been previously ordered. *Id.* On May 27, 2021, the Court reduced the installment payment to \$2,000. Following entry of the contempt order, defendant has

paid the arrearage and has been making the \$2,000 installment payments.<sup>1</sup> However, defendant has not complied with the Court's order as to discovery.

It is defendant's burden to show that his financial circumstances have changed in a way such that his monthly payment should be reduced. 28 U.S.C. § 3204(b). Due to defendant's continued and flagrant disregard of the Court's orders, the Court lacks a complete picture of defendant's financial situation and is unable to evaluate his ability to pay. Now, therefore,

IT IS HEREBY ORDERED that defendant's motion to reduce installment payments (ECF No. 65) is DENIED.

Dated: December 6, 2022

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on December 6, 2022, by electronic and/or ordinary mail.

s/Brianna Sauve  
Deputy Clerk

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<sup>1</sup> According to the government, defendant unilaterally reduced his most recent monthly payment to \$500. (ECF No. 66, PageID.527).